

INLAND WETLAND AND
WATERCOURSES AGENCY

CERTIFIED MAIL

August 4, 2016

Mr. Clayton Kilbourn
HazPros, Inc.
125-A Brook Street
West Hartford, CT 06110

SUBJECT: 114 Waterside Lane- IWW #1047

Dear Mr. Kilbourn:

At its regular meeting of Monday, August 1, 2016, the West Hartford Town Plan and Zoning Commission, acting as the Inland Wetlands and Watercourses Agency, gave consideration to the following item:

114 Waterside Lane- Application (IWW #1047) of Haz-Pros, Inc., Clayton Kilbourn, President, (Linda Goldfarb, R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Wood Pond). The applicant proposes to install an in-ground salt water pool approximately 22' x 36' with a waterfall feature and encircling masonry paver patio and walk. The proposed activity is within the 150 ft. upland review area. (Submitted for IWWA receipt on July 6, 2016. Determined to be potentially significant and set for public hearing on August 1, 2016.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **majority vote (4-1)** (Motion/Maresca; Second/Gillette) (Prestage voting no) (Gillette seated for Seder) (Binkhorst seated for O'Donnell) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

114 WATERSIDE LANE
INLAND WETLAND APPLICATION IWW #1047
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at 114 Waterside Lane in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application IWW #1047 should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.



TOWN OF WEST HARTFORD 50 SOUTH MAIN STREET
WEST HARTFORD, CONNECTICUT 06107-2431
(860) 561-7555 FAX: (860) 561-7400
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ITEM NO. 116
FILE NO. 780

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TOWN COUNCIL OFFICE
West Hartford, CT

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **114 Waterside Lane**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3) Prior to the start of excavation of the pool, the Applicant shall notify the Town Planner of the start of activity.
- 4) A professional engineer shall be present when the lowest depth of the excavation for the pool is reached to monitor for possible ground water.
- 5) Utilizing the existing ground monitoring wells, the Applicant shall take two additional ground water measurements. The first shall be within 24 hours of a significant rainfall event (more than .5 inches of rain in a 24-hour period) and the second not more than 72 hours prior to the start of

- excavation for the pool. If ground water levels are higher than that originally reported in the application, an alternative pool design will need to be submitted.
- 6) If ground water is encountered, all excavation work shall cease and the Applicant shall notify the Town Planner to discuss an alternative plan of development.
 - 7) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

By this letter the IWWA is transmitting a notice of IWW permit approval. This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Energy & Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

If you have any questions regarding this letter, please feel free to contact the Planning Office at 860.561.7555.

Sincerely,



Kevin Ahern, Chairman
TPZ/IWWA

Cc: Ronald Van Winkle, Town Manager
Mark McGovern, Director of Community Services
Essie Labrot, Town Clerk
Todd Dumais, Town Planner
Duane Martin, Town Engineer
Brian McCarthy, Conservation & Environmental Commission
Department of Energy & Environmental Protection
Subject IWW File

Shared/TPZ/decisionletter/2016/Waterside114 IWW_1047_Approval

INLAND WETLAND AND
WATERCOURSES AGENCY

CERTIFIED MAIL

August 5, 2016

Mr. Brandon Handfield, P.E.
191 Norwich Avenue
Lebanon, CT 06249

SUBJECT: 1344 New Britain Avenue (aka 8 and 10 Berkshire Road) - IWW #1046

Dear Mr. Handfield:

At its regular meeting of Monday, August 1, 2016, the West Hartford Town Plan and Zoning Commission gave consideration to the following items:

1344 New Britain Avenue (aka 8 and 10 Berkshire Road) - Application (IWW #1046) of NB Asset Management, LLC, Brandon Handfield, P.E., (Eleanore M. Leary Estate, c/o John Leary III, R.O.) seeking approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant seeks to construct two (2) single-family homes as part of a proposed subdivision. The two lots are located across the street (New Britain Avenue) from Wolcott Park which is identified as wetland soils per the Town map. One of the driveways and part of the site development for both homes falls within the 150 ft. upland review area. (Submitted for IWWA receipt on July 6, 2016. Determined to be potentially significant and set for public hearing on August 1, 2016.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second/Prestage) (Maresca recused herself) (Gillette seated for Seder) (Binkhorst seated for O'Donnell) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

1344 NEW BRITAIN AVENUE (AKA 8 AND 10 BERKSHIRE ROAD)
INLAND WETLAND APPLICATION IWW #1046
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1344 New Britain Avenue (AKA 8 and 10 Berkshire Road)** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1046** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:



[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the

Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located 1344 New Britain Avenue (AKA 8 and 10 Berkshire Road).

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3.) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

By this letter the IWWA is transmitting a notice of IWW permit approval. This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Energy & Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

If you have any questions regarding this letter, please feel free to contact the Planning Office at 860.561.7555.

Sincerely,



Kevin Ahern, Chairman
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Cc: Ronald Van Winkle, Town Manager
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Todd Dumais, Town Planner
Duane Martin, Town Engineer
Brian McCarthy, Conservation & Environmental Commission
Department of Energy & Environmental Protection
Subject IWW File

Shared/TPZ/decisionletter/2016 New Britain Ave 1344_IWW_1046 Approval